

**STROUDSBURG BOROUGH COUNCIL
MEETING MINUTES, JUNE 16, 2020**

A regular meeting of the Stroudsburg Borough Council convened at 7:00 P.M. electronically and livestreamed through the Stroudsburg Borough Facebook Page with the following members present: Council President Anthony Lanfrank, Vice-President of Council Matt Abell, Council President Pro-Tem Erica McCabe, Councilman Jim Evanisko, Councilwoman Victoria DeVries, and Councilman Boyd Weiss. Also present were: Brian Ace, Jr., Borough Manager; Tarah Probst, Mayor; Joseph McDonald, Jr, Borough Solicitor; Mary Pat Quinn, Executive Assistant; Jennifer Lyon, SARPD Police Chief; and Ron Kimes, Zoning and Code Enforcement Officer. Councilman James Smith advised of his absence prior to the meeting.

Approval of Council Meeting Minutes for the Regular Meeting, June 2, 2020

A motion was made by Mr. Weiss, seconded by Ms. McCabe to approve the minutes of the regular meeting on June 2, 2020 as circulated. Mr. Smith emailed Mr. Lanfrank, who reported that Mr. Smith stated that the minutes were incorrect for the Council Member Reports and that the minutes mischaracterized what Solicitor McDonald said. The motion was carried to approve the minutes (6-yes; 0-no; 0-abstain)

Monthly Administrative Reports

A motion was made by Ms. McCabe, seconded by Mr. Weiss to approve the following monthly reports: Permits Issued Report, Parking Report, and Right to Know Report. The motion was carried. (6-yes; 0-no; 0-abstain)

Accept Unaudited May, 2020 Treasurer's Report

A motion was made by Mr. Weiss, seconded by Ms. McCabe to accept the unaudited May, 2020 Treasurer's Report which included the bank account balances and a Budget to Actual report as of June 12, 2020. The motion was carried. (6-yes; 0-no; 0-abstain)

OLD BUSINESS

Status of Bike Rack Project

Mr. Ace reported that he spoke with Rich Schlamuss, the Assistant Director of the Monroe County Transit Authority, and two quotes were received for the bike racks: Soul Customs in the amount of \$20,600.00 and Artists of the Anvil in the amount of \$17,080.00. Mr. Schlamuss will begin discussions with the vendor about the final design and build next week.

Consideration to Approve a Land Development Agreement between the Borough of Stroudsburg and AKS Realty, LLC.

Solicitor McDonald provided Council with a copy of a proposed Development Agreement between the Borough and AKS Realty, LLC. He advised that he met with and discussed the

specifics of the agreement with Mr. Ace, Mr. Kimes, Ms. Quinn and Nate Oiler, P.E. earlier in the afternoon. A review letter dated February 25, 2020 from Wayne Gross, P.E., S.E.O. of RKR Hess regarding the specifics of the sewer service for the site was incorporated in to the agreement. It was also noted that AKS Realty, LLC. owes the Borough for engineering review fees, which will also be specified in the agreement.

A motion was made by Ms. McCabe, seconded by Ms. DeVries to approve the Land Development Agreement between the Borough of Stroudsburg and AKS Realty, LLC. The motion was carried. (6-yes; 0-no; 0-abstain)

NEW BUSINESS

Consider the application of Monroe County Commissioners, as recommended for approval and issuance by the Historic Architectural Review Board, for an addition and renovations to the Monroe County Courthouse at 610 Monroe Street and for the demolition of the PNC bank at 43 North Sixth Street

The following individuals were present to represent the County of Monroe: the Honorable Margherita Patti-Worthington, President Judge; the Honorable Jonathan Mark, Judge; the Honorable Arthur Zulick, Judge; the Honorable Stephen Higgins, Judge; the Honorable Daniel Higgins, Judge; the Honorable David Williamson, Judge; Sharon Laverdure, Chairman of the Monroe County Commissioners; John Moyer, Vice-Chairman of the Monroe County Commissioners; John Christy, Monroe County Commissioner; Timothy McManus, Esq., Monroe County Solicitor; Rick Macia, Architect; Andre Voss, Project Manager, CGL (design architects); John Goldner, Monroe Court Administrator; Rob Fisch, Project Principal, CGL; Victor Reyna, Project Architect, CGL; Christopher Gehm, Project Executive, WH Lane.

A motion was made by Mr. Weiss, seconded by Ms. McCabe to adjust the agenda and move agenda item #22 before agenda item #8. The motion was carried. (6-yes; 0-no; 0-abstain)

Mayor Probst thanked the County for its openness during the planning of the expansion project and for being open to suggestions.

Solicitor McManus offered to explain the reason for the expansion and a complete review of the application that was submitted to the Historical Architectural Review Board (H.A.R.B.). Mr. Lanfrank stated that the explanation for the reason for the expansion was not necessary at this time. Rick Macia, the Architect for the project went through the presentation that was given to H.A.R.B.

The Borough Council members asked questions of Mr. Macia. Mr. Weiss and Ms. DeVries did not have any questions. Ms. McCabe noted that there is no reference to parking and asked if there would be integrated parking for the staff and the public. Mr. Macia responded that there is a small amount of secure parking in the plan for staff; the amount of staff will not be changing. He referred to the Zoning Ordinance, which does not require applicants to provide parking in the downtown area. Solicitor McManus added that the secure parking area will be expanded, but the volume of people going in to the Courthouse should not increase.

Mr. Abell mentioned the thoroughness of the application and thanked Mr. Macia for his presentation. He noted that given the height of the structure, it will fall under the commercial overlay ordinance which adds another layer of qualifications that the structure would have to meet in order to gain approval. Solicitor McManus advised that the County will not be pursuing the commercial overlay option as the current plan meets the requirements of the ordinance. Mr. Abell asked about the backfill proposed for portions of Monroe Street and 6th Street. The application proposes cast stone pending availability of funding. Mr. Macia advised that full-sized brick would be used as an alternate. Mr. Abell asked about the glazing proposed for the large windows. Mr. Macia replied that the glazing will be a low-level affect that would not cause “mirroring”; there will be some level of transparency.

Mr. Evanisko asked about the streetlighting. Mr. Macia advised that the existing light fixtures are going to be used; there will be no elaborate decorative lighting and no illuminated signage. Mr. Evanisko asked if any consideration has been given about energy consumption of the building. Mr. Macia replied that the building codes require that that be done. Insulated glazing, heavy insulation of the exterior walls, low-flow plumbing fixtures and a BRS HVAC system are planned for the building.

Mayor Probst asked for confirmation that the existing metered parking spaces would remain; they are not shown in the drawing. She thanked the County for providing a place to continue Concerts in the Park and other things that the Borough does for the town. She asked that the County consider giving the Borough the old jail in Courthouse Square so that the Borough could provide a taxable use for the building. She complimented the design of the addition.

Mr. Lanfrank asked why there were three nay votes by members of the Historical Architectural Review Board. Mr. Macia offered that those members took a literal interpretation of the Secretary of Interior Standards of the National Park Service. The applicant proposes an addition that will compliment the existing Courthouse. Solicitor McManus added that the addition is also complimenting the existing modern addition. Mr. Kimes added that there are three buildings in the Borough that are registered historic on the National Register of Historic Places; the Courthouse is one of them. An attempt to create false history is not recommended, rather the design should be sympathetic to other buildings in the Historical Architectural District. Mr. Macia discussed features of the proposed addition that would compliment the Courthouse and the existing addition.

Janet Jackson and Linda Schwartz spoke in favor of the application. Ted Hoyt, a resident and member of the H.A.R.B. advised that he was one of the three no votes on the application; H.A.R.B did not discuss the height of the building as that is a zoning issue.

A motion was made by Ms. McCabe seconded by Ms. DeVries to approve the application for the demolition of the PNC Bank building at 43 North Sixth Street. There was no public comment. The motion was carried. (6-yes; 0-no; 0-abstain)

A motion to table the application for an addition and renovations to the Monroe County Courthouse at 610 Monroe Street to the July 7, 2020 Borough Council meeting was made by Mr.

Abell, seconded by Ms. McCabe. Public comment: Megan Taylor Williamson asked if Council knew what they were voting on. The motion was carried. (6-yes; 0-no; 0-abstain)

Consideration to amend A Proclamation by the Stroudsburg Borough Council Declaring A Local Disaster Emergency in Stroudsburg Borough County of Monroe, Commonwealth of Pennsylvania

A motion was made by Mr. Weiss, seconded by Ms. McCabe to extend the Declaration of a Local Disaster Emergency to July 7, 2020. The motion was carried. (6-yes; 0-no; 0-abstain)

Consideration to schedule a public hearing for An Ordinance of the Stroudsburg Borough Council to Amend Chapter 25, Part 1, Section §25-115 of the Stroudsburg Borough Code Entitled, “Private Tree Care”

A motion was made by Ms. McCabe, seconded by Ms. DeVries to schedule a public hearing for consideration of the aforementioned Ordinance on July 7, 2020 at 7:00 P.M. The motion was carried. (6-yes; 0-no; 0-abstain)

Consideration to schedule a public hearing for An Ordinance of the Stroudsburg Borough Council to Amend an Ordinance Entitled Motor Vehicles and Traffic, “Fire Lanes”, Chapter 15, Part 8, Section §15-807 “Notice of Violation”

A motion was made by Mr. Weiss, seconded by Ms. McCabe to schedule a public hearing for consideration of the aforementioned Ordinance on July 7, 2020 at 7:00 P.M. The motion was carried. (6-yes; 0-no; 0-abstain)

Consideration to Establish a Professional Services Escrow Agreement

A motion was made by Ms. McCabe, seconded by Mr. Abell to establish a Professional Services Escrow Agreement. The motion was carried. (6-yes; 0-no; 0-abstain)

Consideration to Adopt a Resolution to Establish an Escrow Fee to be deposited by Developers/Owners who request to meet and consult with the Borough Engineer, the Borough Solicitor, the Borough Planning Consultant and other experts or consultants and professionals that are employed or contracted by the Borough of Stroudsburg

A motion was made by Ms. McCabe, seconded by Mr. Weiss to adopt the aforementioned Resolution. The motion was carried. (6-yes; 0-no; 0-abstain)

Consideration to Adopt a Resolution to Increase the fee for Tax Searches performed by the Stroudsburg Borough Tax Collector from \$10.00 per search to \$25.00 per search

A motion was made by Mr. Weiss, seconded by Mr. Abell to adopt the aforementioned Resolution. The motion was carried. (6-yes; 0-no; 0-abstain)

Consideration to Adopt a Resolution to open a bank account at ESSA Bank and Trust entitled “Borough of Stroudsburg-Shade Tree Escrow” in the amount of \$30,162.16

A motion was made by Mr. Weiss, seconded by Mr. Abell to adopt the aforementioned Resolution. The motion was carried. (6-yes; 0-no; 0-abstain)

Consideration to Adopt a Resolution to Authorize the Destruction of Specific Records in Accordance with the Municipal Records Act of January 18, 1968 (P.L. 961, No. 428)

A motion was made by Mr. Weiss, seconded by Ms. McCabe to adopt the aforementioned Resolution. The motion was carried. (6-yes; 0-no; 0-abstain)

Consideration to approve pro-rating the fee for Parking Lot Permits due to the Covid-19 pandemic

A motion was made by Mr. Weiss, seconded by Mr. Abell to approve pro-rating the fee for Parking Lot Permits due to the Covid-19 pandemic. The motion was carried. (6-yes; 0-no; 0-abstain)

Consideration to approve a Town-wide Yard Sale on July 4 and July 5, 2020; the permit requirement will be waived as will the fee

A motion was made by Mr. Weiss, seconded by Mr. Abell to approve a Town-wide Yard Sale on July 4 and July 5, 2020 from 9:00 A.M. to 7:00 P.M.; the permit requirement and the associate permit fee are waived for the weekend only. The motion was carried. (6-yes; 0-no; 0-abstain)

Consideration to authorize Paula Potter to trap feral cats in the Borough of Stroudsburg that will be spayed or neutered by a PA Licensed Veterinarian and to provide for the payment to Ms. Potter in the amount of \$15.00 per cat as a reimbursement for that service

A motion was made by Mr. Abell, seconded by Ms. McCabe to authorize Paula Potter to trap feral cats in the Borough of Stroudsburg that will be spayed or neutered by a PA Licensed Veterinarian and to provide a reimbursement of \$15.00 per spayed or neutered cat to Ms. Potter. A maximum of \$500.00 is authorized. The motion was carried. (6-yes; 0-no; 0-abstain)

Consideration of a request from Steve Brancato, Banter’s Hard Cider/Downriver Brewing Company to hold a special event weekly on Fridays from 3:00 to 7:00 P.M.

Mr. Kimes advised Council that Mr. Brancato withdrew his request.

Consider the application of William Braun, as recommended for approval and issuance by the Historic Architectural Review Board, for the replacement of roofing at 706-108 Sarah Street

A motion was made by Ms. McCabe, seconded by Mr. Abell to approve the aforementioned application as recommended by H.A.R.B. The motion was carried. (6-yes; 0-no; 0-abstain)

Consider the application of David J. Carrol, as recommended for approval and issuance by the Historic Architectural Review Board, for the demolition and rebuild of a rear single-story portion of the building at 503-505 Sarah Eighth Street

A motion was made by Mr. Weiss, seconded by Mr. Abell to approve the aforementioned application as recommended by H.A.R.B. The motion was carried. (6-yes; 0-no; 0-abstain)

Consideration to schedule a public hearing to Amend §21-221 “Use of Sidewalks for Display or Advertising Regulated”

A discussion ensued regarding outdoor dining downtown and whether the Council would have the authority to go outside of the Ordinance and allow more space for eating establishments to provide outdoor dining. Solicitor McDonald stated that the best way to do so would be to amend the ordinance. Mr. Abell and Ms. Probst were opposed to that.

A motion was made by Mr. Abell, seconded by Ms. McCabe to approve extending the area of sidewalk that can be used by all downtown merchants through November 1, 2020 as a special event for sidewalk sales. Bump outs are excluded. The motion was carried. (6-yes; 0-no; 0-abstain)

A motion was made by Mr. Abell, seconded by Ms. McCabe to authorize all eating establishments with an Outdoor Dining Permit from the Borough to extend the outdoor dining area to the curb providing CDC guidelines are followed for social distancing and a six-foot path for pedestrians is be maintained. The motion was carried. (6-yes; 0-no; 0-abstain)

Mr. Abell suggested that the Codes Committee could look at the Ordinance.

Consideration to Award the Bid for the Oak Street and Scott Street Paving and ADA Ramps Project to Gaver Industries, Inc. dba Barker and Barker Paving in the amount of \$132,562.50

A motion was made by Mr. Weiss, seconded by Mr. Abell to award the bid for the Oak Street and Scott Street Paving pending receipt of the appropriate bonding. The motion was carried. (6-yes; 0-no; 0-abstain)

Committee Reports

Codes Committee – The next meeting is June 17 at 3:30 P.M.

Parking Committee – The Parking Committee will meet on June 23 at 4:00 P.M.

Personnel Committee – Mr. Ace has two things for executive session.

Public Relations /Media Committee – Ms. Probst reported that the Committee will be meeting with Mr. Ace and Ms. Quinn to develop a Borough Newsletter. The Committee talked about getting signs for veterans and historical signs through Go Collaborative. Ms. McCabe reported that

Concerts in the Park is cancelled this year; the Committee will check to see if the grant money can be used next year or for another purpose this year.

Redevelopment Committee – The next meeting is June 24 at 3:30 P.M.

Mayor's Report

Ms. Probst reported that she received complaints from lower Scott Street about smoke from chimineas; fireworks are also being set off in the Borough.

Council Reports

None.

Solicitor's Report

Solicitor McDonald had a matter for executive session related to litigation.

Manager's Report

Mr. Ace reported speaking with Autumn Arthur, the Director of the Stroud Region Open Space and Recreation Commission; all Borough parks will open on Friday, June 19, 2020.

Code Enforcement Officer's Report

Mr. Kimes offered to answer any questions that Council members may have about the County Courthouse Expansion.

Street Superintendent's Report

Mr. Schnatter advised of his absence prior to the meeting. Mr. Ace reported that the Street Department have been working on getting the parks ready for opening day. The flower baskets are ready and being hung on Main Street.

Approval of Bills on Warrants 200616

A motion was made by Mr. Weiss, seconded by Mr. Abell to approve the bills on Warrants 200616. The motion was carried. (6-yes; 0-no; 0-abstain)

Public Input for Non-Agenda Items

Britni Brodhead asked when the Council would be discussing the use of chimineas. She was advised that the matter would first be discussed by the Codes Committee.

Executive Session

A motion was made by Ms. McCabe, seconded by Mr. Abell to go in to an executive session at 9:08 P.M. for the purpose of discussing personnel and litigation. Ms. Probst advised that she would be absent from executive session. The motion was carried. (6-yes; 0-no; 0-abstain)

The executive session was concluded at 9:42 P.M. on a motion made by Mr. Abell, seconded by Ms. McCabe. The motion was carried. (6-yes; 0-no; 0-abstain)

Results of Executive Session

A motion was made by Mr. Abell, seconded by Ms. McCabe to authorize the Borough Manager to advertise for a Street Superintendent at the current budgeted annual salary. The motion was carried. (6-yes; 0-no; 0-abstain)

A motion was made by Mr. Abell, seconded by Ms. McCabe to authorize an additional four (4) personal days for each "essential employee" who worked throughout the Covid-19 pandemic. The four days must be used by December 31, 2020. The motion was carried. (6-yes; 0-no; 0-abstain)

The meeting was adjourned at 9:48 P.M. on a motion made by Mr. Weiss, seconded by Mr. Abell. The motion was carried. (6-yes; 0-no; 0-abstain)

